

Murder Among the Staff Officers

I am not sure just how many times during the War Between the States that a colonel murdered a major general, but the chances are real good that this was a once in a war occurrence. And if not, I am willing to wager that it was the only time the killer got away scot free. Just in case I lose that wager, I will double down and say it was the only time a colonel killed a major general, got away with it and then became a Hall of Fame Texas Ranger.

George Wythe Baylor was born in Fort Gibson, Cherokee Nation, on August 2, 1832. Two years later his father, John Walker Baylor died and he went to live with his brother John Robert Baylor (**photo at right**) in Weatherford, Texas. John was an ardent Indian hater and organized a vigilante force of about one thousand men to fight the Comanche. On June 5, 1860, George was riding with John and three other members of the vigilantes when they ran down a small party of Indian raiders in the battle of Paint Creek. To avenge the murder and scalping of a young white boy, they killed and scalped nine of the Indians.



George went to Rutgersville College and later, through the influence of his uncle R.E.B. Baylor, he attended Baylor University at Independence, Texas. He worked for a short time as a clerk with the Commissary Department of the U. S. Army at the Alamo in San Antonio.

Gold fever took him to California in 1854. 1856 finds Baylor in San Francisco and a member of the Vigilance Committee. According to family letters, George could not find steady employment or strike it rich in the gold fields. By late 1859 he was back in Texas and living with his brother in Weatherford.



George Baylor is reputed to have raised the first Confederate flag in Austin, Texas. He was commissioned a first lieutenant in Company H of the Second Cavalry, John Robert Baylor's Arizona Brigade and served as regimental adjutant before resigning to become senior aide-de-camp to Gen. Albert Sydney Johnston in August or September 1861. After General Johnston was killed in the Battle of Shiloh on April 6, 1862, George Baylor (**photo at left**) returned to Texas and was elected lieutenant colonel and commander of the Second Battalion of Henry H Shibley's army. His new battalion merged with the Second Cavalry regiment of the Arizona Brigade and Baylor was elected to be its colonel. He also commanded a regiment of cavalry during the Red River Campaign of 1864 and was commended for gallantry at the Battles of Mansfield and Pleasant Hill.

On April 6, 1865, Colonel Baylor was at General John B. McGruder's headquarters in the Fannin Hotel in Houston, Texas. Tragedy would follow soon thereafter.

John Austin Wharton was born to Sarah Ann (Groce) and William Harris Wharton on July 23, 1828, near Nashville, Tennessee. He was named after his uncle, John Austin Wharton (1806-1838), a hero of the Battle of San Jacinto. As a small child his family

moved to the area of Galveston, Texas. His father was an orator and leader in the Texas Revolution. At the age of eight John was sent to his uncle, Leonard W. Groce, for schooling under a Boston instructor. From 1846 to 1850 he attended South Carolina College (now the University of South Carolina), where he served as a commander in the student cadet corps. In 1848 he married Eliza Penelope Johnson, daughter of David Johnson, the governor of South Carolina.



General John Austin Wharton

After college, John returned to Texas and studied law with former United States Senator William Preston, Jack Harris, and Elisha Pease, future governor of Texas. He became a wealthy plantation owner and slave holder. After his admission to the bar, he opened his own practice and was extremely successful. He also entered into politics and in the 1860 presidential election he was an elector for John C. Breckenridge. He then represented Brazoria County at the state Secession Convention, voting for secession. Wharton was also a planter of considerable means. The 1860 tax roll for Brazoria County shows that he owned \$167,004 of taxable property, including 135 slaves.

When the War of Northern Aggression began John Wharton, an ardent secessionist, was elected captain of Company B, Eighth Texas Cavalry which was popularly known as Terry's Texas Rangers. He rose to command the regiment after the deaths of Col. Benjamin F. Terry and Lt. Col. Thomas S. Lubbock. He led his troops with distinction in the battle of Shiloh, but he suffered a wound. In November of 1862 he was promoted to brigadier general on the basis of the leadership he had shown in General Braxton Bragg's invasion of Kentucky. His heroic actions at the battle of Chickamauga earned him his final promotion to major general. He was again wounded at the battle of Murfreesboro (Stone River).

In February 1864 the general was transferred to Richard Taylor's Trans-Mississippi Department in Louisiana. Upon his arrival he was assigned to lead the cavalry and took part in the closing scenes of the Red River campaign.

On April 6, 1865, General Wharton went to meet General John B. Magruder in his Houston, Texas headquarters in the Fannin Hotel. Tragedy was about to occur.

According to Texas historian Walter Prescott Webb in his book *The Texas Rangers: A Century of Frontier Defense*, Baylor quarreled with and killed fellow staff

officer John Austin Wharton. Their fight was said to have been about "military matters," specifically the reorganization of the Trans-Mississippi Department of the Confederate States. Wharton reportedly slapped Baylor's face and called him a liar, whereupon Baylor drew his revolver and shot the unarmed Wharton. Baylor later said that the incident had been a "lifelong sorrow" to him. Even though Wharton was found to have been unarmed, Baylor was acquitted of murder charges in 1868.

Wharton was originally buried at Hempstead but was later moved to the State Cemetery in Austin, Texas.



After the war was over, Texas Ranger Lieutenant John B Tays, commander of Company C, Frontier Battalion of the Texas Rangers in El Paso, Texas, resigned. In September of 1879, Baylor was commissioned a lieutenant in the Texas Rangers and ordered to take over the command. Webb tells us that, "On August 2, 1879, Lieutenant Baylor set out from San Antonio with his wife, Sally Garland Sydnor Baylor, and two young daughters, Helen and Mary Courtenay, for the six-hundred-mile trip to El Paso. They would have a third daughter, Sophie Marie. A large wagon drawn by mules hauled a square piano, other household goods, and on the rear a family of game chickens, consisting of a rooster and four hens. A second wagon carried rations for the men and provender for the animals. Mrs. Baylor, her sister, and the two girls, aged four and fourteen, occupied a mule- drawn hack or ambulance; two men on their way to New Mexico followed in a two-wheeled cart. This party, protected by six mounted Texas Rangers, one of whom was Sergeant J. B. Gillett, spent forty-two days on the road, arriving at Ysleta in September. There they were joined by nine Rangers of Tays's Company, and there they made headquarters for a number of years."

In El Paso. Baylor was able, through his knowledge of Spanish and his friendships with many of the leading citizens of El Paso, to put to rest the lingering hatreds caused by the Salt Wars. He was soon involved in protecting the region from attacks from the Apaches. Baylor used local guides and worked closely with Mexican authorities on the south side of the Rio Grande.

One of Baylor's greatest successes as a Ranger came in January, 1881 when a small band of Apaches attacked a stagecoach in Quitman Canyon. Following the cold trail,

Baylor and his Rangers tracked the Apaches down the bank of the Rio Grande and into Mexico. Along the way they found items taken from the stage. The trail turned back into Texas, where they found a fresh camp site. Following the trail into the Eagle Mountains, the Rangers came across a camp that was only hours old. Baylor's men met up with a detachment of Rangers from Lt. Nevill's company at Eagle Springs. After more tracking, the Rangers finally came upon the Indian camp. A fight ensued on the morning of January 29. The Apache braves ran "like a herd of deer," according to Webb. The Rangers, not being able to tell men from women in the light of dawn, killed 4 warriors, two women, and two children, and wounded many more. "One Indian, whom the Rangers named Big Foot, ran four hundred yards in full view while not less than two hundred shots from Winchesters and Springfields were fired at him."

The fight, though small, has come down through history as the last Indian battle in Texas. In 1882 Baylor was promoted to captain of Company A. In 1885 Baylor's Company A was disbanded due to budget cuts. Baylor's company was so successful in capturing Indians and desperados that it practically put itself out of business and was an easy choice for disbandment when cost-cutting became a necessity on March 13, 1885.

Baylor continued an active life and was elected from El Paso to serve in the Texas State House of Representatives. He also served as clerk of the district and circuit courts for a number of years. He died on March 17, 1916 in San Antonio. He is buried in the Confederate Cemetery in San Antonio.



Source: Webb, Walter Prescott (2010-07-22). *The Texas Rangers* (Kindle Locations 6378-6384). University of Texas Press. Kindle Edition. Handbook of Texas Online